

AMENDED IN SENATE MARCH 26, 2014

SENATE BILL

No. 1407

Introduced by Senator Jackson

February 21, 2014

An act to ~~amend Section 153 of the Labor~~ add Section 12964.5 to the Government Code, relating to ~~private~~ employment.

LEGISLATIVE COUNSEL'S DIGEST

SB 1407, as amended, Jackson. ~~Labor statistics and research.~~ *Employment discrimination.*

Existing law, the California Fair Employment and Housing Act, creates the Department of Fair Employment and Housing and authorizes the department to receive, investigate, and prosecute complaints alleging specified unlawful practices. Under existing law, any person claiming to be aggrieved by an alleged unlawful practice is authorized to file with the department a verified complaint, in writing, that states the name and address of the person, employer, labor organization, or employment agency alleged to have committed the unlawful practice complained of, that sets forth the particulars thereof, and contains other information as required by the department. Existing law requires any agreement entered into by any dispute resolution to be in writing.

This bill would require a release of liability under the act to be valid only if the release is a separate and distinct document that includes a recital of claims that is based upon an employee's internal or external complaint.

~~Under existing law, the Department of Industrial Relations collects, compiles, and presents facts and statistics relating to the condition of labor in the state. Existing law provides that, except as specified, no use shall be made in the department's reports of the names of persons~~

supplying information, and makes any agent or employee of the department who violates this provision guilty of a misdemeanor.

~~This bill would make technical, nonsubstantive changes to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 12964.5 is added to the Government Code,*
2 *to read:*

3 *12964.5. A release of liability under this part shall be valid*
4 *only if the release is a separate and distinct document that includes*
5 *a recital of claims that is based upon an employee's internal or*
6 *external complaint.*

7 ~~SECTION 1. Section 153 of the Labor Code is amended to~~
8 ~~read:~~

9 ~~153. Except as provided in Section 151, statistical or other~~
10 ~~reports prepared pursuant to this chapter shall not make use of the~~
11 ~~names of persons supplying the information required under this~~
12 ~~code. Any agent or employee of the department who violates this~~
13 ~~section is guilty of a misdemeanor.~~